

**City of Warwick Planning Board
Meeting Minutes
Wednesday, November 9, 2011**

Members Present: John J. Mulhearn Jr., Chairman
Philip Slocum
Laura Pisaturo
Sue Stenhouse
Vincent Gambardella
Leah Prata

Members Absent: Cynthia Gerlach
Thomas Kiernan
James Desmarais

Also in attendance: William DePasquale, Jr. AICP, Planning Director
Patricia Reynolds, Business Development Planner
Eric Hindinger, Engineer Project Manager
Robert Sgroi, Solicitor

Chairman Mulhearn called the meeting to order at 6:05 P.M.

The October 2011 meeting minutes were presented for review and approval. A motion was made by Ms. Stenhouse to approve the October meeting minutes as presented. The motion was seconded by Mr. Slocum. All voted in favor, none opposed, with Ms. Prata abstaining.

Public Meeting

Minor Subdivision

McArdle Plat

Location: 117 Wendell Road
Applicant: Padula Builders, Inc.
Assessor's Plat: 289
Lot(s): 24, 25, 26, & 27
Zoning District: A-7 Residential
Land Area: 14,990 square feet
Surveyor: Scituate Surveys, Inc.
Ward: 2

The applicant requested Preliminary Approval of a Minor Subdivision to subdivide four (4) lots to create two (2) lots; one (1) 7,661 square foot lot with an existing residence having less than required front yard setback and one (1) new 7,329 square foot lot for development.

The application was represented by Russ Mark Antonio of Padula Builders, and John Mensinger, PLS, Scituate Surveys. Mr. Mulhearn asked if this project required Zoning Board approval for less than required front yard setback.

Mr. DePasquale responded that the less than required front yard setback for the existing dwelling is an existing condition and is not created by the proposed subdivision and that both lots, the existing and the proposed, will meet all dimensional requirements. Therefore, no Zoning Board review is necessary for this proposal.

Being no further questions or comments from the Board, the Board agreed to forego the reading and accept as an Exhibit the Planning Department's Findings and Recommendation, which reads as follows:

EXHIBIT

Planning Department Findings

The Planning Department finds this proposal to be generally consistent with Article 1, "Purposes and General Statements" of the City's Development Review Regulations, and:

1. That the subject property is located at 117 Wendell Road and is identified as Assessor's Plat: 289, Assessor's Lots: 24, 25, 26, & 27.
2. That the subject property consists of four (4) tax assessor's lots and ten (10) record lots totaling 14,990 square feet and is currently zoned Residential A-7.
3. That the applicant proposes to create two (2) lots; one (1) 7,661 square foot lot with an existing dwelling having less than required front yard setback; and one (1) new 7,329 square foot lot for development.
4. That the Residential A-7 Zoning District requires a minimum of 70 feet of frontage and lot width and a minimum area of 7,000 square feet per individual lot.
5. That all lots as proposed will conform to the requirements of the Residential A-7 Zoning District.
6. That the proposed development is generally consistent with the Comprehensive Community Plan.
7. That the property will have access to public water and sewer.

8. That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
9. That the proposed development possesses adequate access to a public street.

Planning Department Recommendation

The Planning Department's recommendation is to grant Preliminary Approval with Final Approval to be through the Administrative Officer, upon compliance with the following stipulations:

1. That the Final Plan shall depict Plat and Lot Numbers, on all lots, as required per *Development Review Regulation, Appendix B, Checklist Item # 4*.
2. That the Final Plan shall note deed book and pages references, as required per *Development Review Regulation, Appendix B, Checklist Item# 6*.
3. That the Final Plan shall depict the common property lines between Assessor's Plat 288, Assessor's lots 265 & 289, as required per *Development Review Regulation, Appendix B, Checklist Item #9*.
4. That the Final Plan shall depict approximate location and footprint of the primary structure of abutting dwellings, as required per *Development Review Regulation, Appendix B, Checklist Item #18*.
5. That one (1) Granite Bound per lot and iron rods at the remaining corners shall be indicated on the Final Plan and that the proposed Monumentation shall be installed, prior to the recording of the "Record Plat".
6. That the applicant shall coordinate with the Sewer Authority for connection to Municipal Sewer.
7. That the applicant shall coordinate with the Water Division for connection to Municipal Water and the water service connection shall be a minimum one inch diameter pipe.
8. That the existing mature Oak trees located along the rear property line of proposed Parcel B, as noted on the Preliminary Plan entitled Minor Subdivision McArdle Plat, prepared by Scituate Survey, Inc., stamped and signed by John Mensinger, and dated September 20, 2011, shall be preserved and protected with drip-line tree protection during construction.
9. That the applicant shall plant one (1) new 2-2.5" caliper street tree for proposed Parcel A, as noted on the Preliminary Plan entitled Minor Subdivision McArdle Plat, prepared by

Scituate Survey, Inc., stamped and signed by John Mensinger, and dated September 20, 2011. The applicant shall consult with the City's Landscape Project Coordinator regarding specific location and species.

On the motion of Mr. Slocum, seconded by Ms. Stenhouse, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to grant Preliminary Approval, with Final Approval to be through the Administrative Officer, with the Planning Department's recommended stipulations.

Request for a Zone Change

Applicant: City of Warwick
Location: Conimicut Village, West Shore Road
Assessor's Plat: 317
Assessor's Lots: 116 and 117
Existing Zones: General Business
Proposed Zone: Village District (V)

Background

The Applicant requested a zone change from General Business to Village District (V) to expand the boundaries of the Village District to include Assessor's Plat 317, Assessor's Lots 116 and 117 in order to be compatible with adjacent properties.

Mr. DePasquale presented a letter to the Board, dated November 9, 2011 from Mr. James Byrne, the property owner of Plat 317, Lot 117, 580 West Shore. In this letter, Mr. Byrne requested that his property be removed from consideration for the zone change.

Being no further questions or comments from the Board, the Board agreed to forego the reading and accept as an Exhibit the Planning Department's Findings and Recommendation for AP 317, AL 116, only, which reads as follows:

EXHIBIT

Planning Department Findings

The Planning Department finds the proposed zone change to be in compliance with the City's Comprehensive Plan and the principles as proposed in the Comprehensive Plan update, including the Goals and Policies Statement, the Implementation Program, the Land Use Element, the Housing Element and the Economic Development Element, including, but not limited to, the following:

- To promote an economic climate which increases quality job opportunities and overall economic well being of each municipality and the State.
- Assist in forming an economic base capable of providing a desirable standard of living, creating job opportunities, and fulfilling reasonable government tax needs.

- Provide sites suitable for various commercial and industrial activities in relation to projected needs within Warwick's land use planning program

The Planning Department also finds the proposed zone change to be generally consistent with the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.
- E.) The availability and capacity of existing and planned public and/or private services and facilities.
- F.) The need to shape and balance urban and suburban development.
- G.) The use of innovative development regulations and techniques.

103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing, including opportunities for the establishment of low and moderate income housing.

103.10 Promote a high level of quality in design in the development of private and public facilities.

103.13 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.

The Planning Department recommends a favorable recommendation to the Warwick City Council for the requested zone change.

On the motion of Ms Stenhouse, seconded by Mr. Gambardella, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to forward a favorable recommendation to the Warwick City Council for the requested zone change from General Business to Village District for Assessor's Plat 317, Assessor's Lot 116. only.

Public Meeting

Planning Board Recommendation to the City Council Regarding the Zoning Text Amendment Relating to the Warwick Station Development District

Applicant: City of Warwick
Location: Warwick Station Redevelopment District
Assessor's Plats: Portions of 278, 279, 322, 323
Assessor's Lots: All lots located within the Intermodal and Gateway Zones
Existing Zone : Intermodal, Gateway
Proposed Zone: No change to existing zoning, text amendment only

Mr. Gambardella recused himself from the discussion and voting due to a conflict of interest.

Background

Subsequent to the September 15, 2011 Planning Board meeting, several errors and omission were discovered in the proposed Text Amendment which did not qualify as minor revisions and insignificant edits. These errors were discrepancies between the proposed Code Ordinance and the Zoning Code, Table 1. Use Regulations. These errors were existing and long standing and have been rectified by this revised text amendment.

Mr. DePasquale explained that in the process of making the corrections requested by the Board at the September 15, 2011 meeting, other existing errors and omissions were discovered, as well as some discrepancies between the zoning code, Table of Uses and the City's Code of Ordinances. In addition, several footnotes have been added to the Table of Uses which are criteria based and conform with the Warwick Station Development District Master Plan, which the Board has previously reviewed and adopted, and a Design Manual has been added. Mr. DePasquale informed the Board that the City is currently in the process of applying for a Planning Challenge Grant to produce this Design Manual, which is intended to have comprehensive design guidelines in conformance with the objectives of the WSDD Master Plan, and will be versatile as well, and may be used in other areas such as the newly created Village Districts, to guide development.

Mr. Mulhearn asked if there are any pending projects for the area.

Mr. DePasquale responded that there has been interest in several parcels in the area and the City has just met with Rhode Island Economic Development regarding development.

Ms. Stenhouse asked if there was a time frame for this being approved.

Mr. DePasquale responded that it is the City's preference to enact this as soon as possible, since this will give developers the tools to begin.

Ms. Pisaturo asked if the creation of the Design Manual is definite, and should the Board be concerned that it is included in the zoning amendment in case it doesn't get produced?

Mr. DePasquale stated that it will be produced.

Mr. DePasquale read the Planning Department's Findings and Recommendation into the record,

as follows:

The Planning Department finds the proposed zoning amendment to be in compliance with the City's Comprehensive Plan and the principles as proposed in the Comprehensive Plan update, including the Goals and Policies Statement, the Implementation Program, the Economic Development Element, the Transportation Element, the Land Use Element, and the Recreation element including, but not limited to, the following goals and policies:

- To promote an economic climate which increases quality job opportunities and overall economic well being of each municipality and the state.
- Assist in forming an economic base capable of providing a desirable standard of living, creating job opportunities, and fulfilling reasonable government tax needs.
- Provide sites suitable for various commercial and industrial activities in relation to projected needs within Warwick's land use planning program
- Provide the City of Warwick with a balanced transportation system that meets the needs of its citizens by developing a related network of local roads and highways, public transportation, rail service, parking, pedestrian walkways and bicycle travel ways.
- Promote the development of the transportation system in response to the desired and planned patterns of future land use and reuse.
- Utilize the Airport location within the city to promote local economic development efforts.
- To maintain high standards of urban design and aesthetics in public open spaces.
- To provide a balanced transportation system that is convenient, safe, and efficient including: modern roadways, parking facilities and public transportation for labor mobility and transport of goods.
- Emphasize communication between local, state and federal governments and agencies to promote economic development related issues.

The Planning Department also finds the proposed zoning amendment to be generally consistent with the resolution adopted by on August 23, 2011 by the Warwick Station Redevelopment Agency and the following purposes of the City's Zoning Ordinance, as presented in Section 100, "Title and Purpose."

103.1 Promote the public health, safety and general welfare of the City.

103.2 Provides for a range of uses and intensities of use appropriate to the character of the City and reflect current and future needs.

103.3 Provides for orderly growth and development, which recognizes:

- A.) The goals and patterns of land use contained in the Comprehensive Plan of the City of Warwick.
- E.) The availability and capacity of existing and planned public and/or private services and facilities.
- F.) The need to shape and balance urban and suburban development.
- G.) The use of innovative development regulations and techniques.

103.8 Promote a balance of housing choices, for all income levels and groups, to assure the health, safety and welfare of all citizens and their rights to affordable, accessible, safe, and sanitary housing, including opportunities for the establishment of low and moderate income housing.

103.10 Promote a high level of quality in design in the development of private and public facilities.

103.13 Provide for efficient review of development proposals, to clarify and expedite the zoning approval process.

The Planning Department recommends that the Warwick Planning Board issue a favorable recommendation to the Warwick City Council for the proposed, corrected text amendment, with the following stipulations:

1. The Administrative Officer to the Planning Board shall be authorized to make minor revisions and insignificant edits as necessary before submission to the Warwick City Council.

On the motion of Mr. Slocum, seconded by Ms. Stenhouse, with Mr. Gambardella recusing himself, the Planning Board voted unanimously to formally adopt the Planning Department's findings and to forward a favorable recommendation to the City Council for the adoption of the zoning Text Amendment relating to the Warwick Station Development District.

A motion to close the meeting was made by Ms. Stenhouse and seconded by Ms. Prata at 6:26 p.m.